

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

Justin Neil Flocchini,

Plaintiff,

vs.

Carolyn Colvin, ACTING COMMISSIONER  
OF SOCIAL SECURITY<sup>1</sup>,

Defendant.

Case No. 1:24-cv-01246-EPG

STIPULATION AND ~~PROPOSED~~  
ORDER FOR EXTENSION OF TIME

(ECF No. 11)

Pending the Court's approval, IT IS HEREBY STIPULATED, by and between the parties through their respective counsel of record, with the Court's approval, that Plaintiff shall have a 60-day extension of time, from January 15, 2025 to March 17, 2025, for Plaintiff to serve on defendant with PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT. All other dates in the Court's Scheduling Order shall be extended accordingly.

This is Plaintiff's first request for an extension of time. Plaintiff respectfully states that the requested extension is necessary due several merit briefs being due on the same week. For the weeks of January 13, 2025 and January 20, 2025, Plaintiff's Counsel has eleven merit briefs due. Counsel requires additional time to brief the issues thoroughly for the Court's

<sup>1</sup> Carolyn Colvin became the Commissioner of Social Security on November 30, 2024. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Carolyn Colvin should be substituted for Martin O'Malley as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 consideration. Defendant does not oppose the requested extension. Counsel apologizes to the  
2 Defendant and Court for any inconvenience this may cause.

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4 Respectfully submitted,

5 Dated: December 30, 2024 PENA & BROMBERG, ATTORNEYS AT LAW

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7 By: /s/ Jonathan Omar Pena  
8 JONATHAN OMAR PENA  
9 Attorneys for Plaintiff

10 Dated: December 30, 2024 PHILLIP A. TALBERT  
11 United States Attorney  
12 MATHEW W. PILE  
13 Associate General Counsel  
14 Office of Program Litigation  
15 Social Security Administration

16 By: \*/s/ Justin Lane Martin  
17 Justin Lane Martin  
18 Special Assistant United States Attorney  
19 Attorneys for Defendant  
20 (\*As authorized by email on December 27, 2024)  
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**ORDER**

Pursuant to the parties' stipulation (ECF No. 11), Plaintiff shall file the motion for summary judgment by no later than March 17, 2025. All other deadlines in the Court's scheduling order are extended accordingly.

IT IS SO ORDERED.

Dated: **January 5, 2025**

/s/ Eric P. Grogan  
UNITED STATES MAGISTRATE JUDGE